

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MARK DANIELS, 13B0317,

Petitioner,

-v-

12-CV-1265Sc  
ORDER

ERIE COUNTY HOLDING CENTER,

Respondent.

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Petitioner has notified the Court that he wishes to withdraw this action. Because no answer or motion for summary judgment has been filed by any adverse party, the notification must be treated as a voluntary withdrawal pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i) such that the petition is dismissed without prejudice.

The Clerk of Court is directed to return the attached documents, submitted to the Court but not filed, to the petitioner.

SO ORDERED.

S/ Michael A. Telesca

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MICHAEL A. TELESCA  
United States District Judge

Dated: March 27, 2013  
Rochester, New York